Case 17-19450-MBK Doc 77 Filed 06/27/21 Entered 06/28/21 15:19:53 Desc Main

Document Page 1 of 4

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FEIN, SUCH, KAHN & SHEPARD, P.C.

Counsellors at Law
7 Century Drive - Suite 201
Parsippany, New Jersey 07054
(973) 538-9300
Attorneys for Movant
Select Portfolio Servicing, Inc., as
servicer for MEB LOAN TRUST IV
R.A. LEBRON, ESQ.
SPS1910
bankruptcy@fskslaw.com

In Re:

LUZ ADRIANA ALVAREZ

Debtor(s).

Case No.: 17-19450 MBK

Order Filed on June 27, 2021

U.S. Bankruptcy Court District of New Jersey

by Clerk

Hearing Date: June 15,

2021

Judge: Honorable Michael B. Kaplan, Chief Judge

Chapter: 13

Recommended Local Form Followed □ Modified

AGREED ORDER ON RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: June 27, 2021

Honorable Michael B. Kaplan United States Bankruptcy Judge

- 1. The above-style Certification of Default regarding 18 GARDEN HILLS DRIVE, SOMERSET, NJ 08873, having been scheduled for a hearing before the Court on June 15, 2021, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest, and it appearing to the Court that the parties consent hereto:
- 2. FURTHER IT IS HEREBY ORDERED that the Creditor's Certification of Default is denied, as the parties herein agree that the interest of Movant is adequately protected by payment and performance as more particularly set forth hereinafter.
- 3. FURTHER ORDERED that as of June 4, 2021, the post-petition arrearage is as follows, pursuant to the terms of the Note, as set forth in the chart below:

Number of Missed Payments	From	То	Monthly Missed Principal	Monthly Missed Escrow (if applicable	Monthly Payment Amount	Total of Monthly Payments Missed
1	6/26/2021	6/26/2021	\$1,112.39	\$0.00	\$1,112.39	\$1,112.39
Less post-petition partial payments (suspense balance): (\$276.83)						

Total: \$835.56

- 4. This arrearage shall be paid as follows:

 Debtor is ordered to pay \$835.56 due by June 26, 2021.
- 5. Regular payments in the amount of \$1,112.39 to be paid on or before July 26, 2021 and any additional amount as required or allowed by the Note and Security Instrument. Payments should be sent to: Select Portfolio Servicing, Inc. Attn: Remittance

- Processing P.O. Box 65450 Salt Lake City, UT 84165-0450.
- 6. FURTHER ORDERED that should Debtor(s) default in payment of any sum specified herein, or in any regular monthly mortgage payments which come due according to Movant's Loan Documents, for the life of the bankruptcy then upon notice of default sent by first class mail to Debtor(s), attorney for Debtor(s) and the Trustee, and failure of Debtor(s) to cure such default within 10 days from the date of receipt of such notice, Movant may file a motion and affidavit of default, with service upon Debtor(s), attorney for Debtor(s) and the Trustee, and the Court may enter an Order releasing Movant from the automatic stay, without further notice or hearing.
- 7. FURTHER ORDERED that in the event relief from the automatic stay is later granted, the Trustee shall cease funding any balance of Movant's claim, and the provisions of Fed. R. Bank. P. 4001(a)(3) may be waived.
- 8. FURTHER ORDERED that upon completion of any foreclosure sale, any funds in excess of the amount due to Movant and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law that would otherwise be payable to the Debtor(s), shall be paid to the Trustee by the entity receiving the funds from the foreclosure sale for the benefit of the Estate while the Debtor(s) remains in bankruptcy.

Dated this M_{\bullet} day of M_{\bullet} , 2021

CO OBY.

R.A. LEBRON, ESQ. FEIN, SUCH, KAHN & SHEPARD, P.C. Attorneys for Movant

<u>G/t'f/2-1</u>

ALLEN I GORSKI Attorney for Debtor